

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: SUPPORT SERVICES

DATE: DECEMBER 18, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS TAYLOR
 STRAINER
 MCDEVITT
 FRASIER
 MASON
 VANSELOW

COMMITTEE MEMBER ABSENT:

SUPERVISOR LOEB

OTHERS PRESENT:

AMY CLUTE, SELF-INSURANCE ADMINISTRATOR
JULIE PACYNA, PURCHASING AGENT
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
LEE POLLOCK, ROSE & KIERNAN INSURANCE BROKERS
JACK BIENIEK, VICE PRESIDENT, COOL INSURING AGENCY, INC.
JOHN STROUGH, SUPERVISOR-ELECT, TOWN OF QUEENSBURY
SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

Mr. Taylor called the meeting of the Support Services Committee to order at 9:30 a.m.

Motion was made by Mr. Vanselow, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Julie Pacyna, Purchasing Agent, who presented a request to write off \$339.627 worth of obsolete stockroom items and to appropriately dispose of the same. She explained that the Purchasing Department had been unable to sell all the stockroom inventory; therefore, she said, the County Treasurer suggested the items be written off and disposed of.

Motion was made by Mr. McDevitt, seconded by Mr. Vanselow and carried unanimously to approve the request as presented above and the necessary resolution was authorized for the December 18, 2013 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Ms. Pacyna advised that the New York State Sample Group felt the paragraph in the 2014 Purchasing Policy with regards to "piggybacking" on purchases under the threshold was unnecessary. She said she had discussed the suggestion with the County Attorney and they determined the paragraph should be omitted.

Mr. Strainer entered the meeting at 9:32 a.m.

There being no further Purchasing Department business to discuss, privilege of the floor was extended to Paul Dusek, County Administrator, who presented a request to waive the Rules of the Board that require prior authorization by the Personnel and Finance Committees in order to approve the filling of a temporary part-time position in the Information Technology (IT) Department. He explained he felt the position was necessary because the IT Department was short staffed, as well as being inundated with requests to install new computers to replace those with a Windows XP operating system, as the program would become obsolete on April 1, 2014.

Mr. Mason entered the meeting at 9:36 a.m.

Mr. Dusek said the individual identified for the position was a recent graduate of SUNY Adirondack and a former intern of the Department. He stated the position would be instituted on a temporary basis through the end of February 2014 and scheduled for twenty hours a week with the rate of pay to be determined prior to the Board meeting. He advised the funds were available in the Budget since the vacant position of the IT Director had not been filled.

Mr. Strainer queried whether a similar request would be presented at the December 20, 2013 Board meeting for the Personnel Office, as well and Mr. Dusek replied in the negative. He explained the Personnel Office had waived the request, as they indicated they no longer wanted a temporary employee. Mr. Strainer asked whether the Personnel Office would have had to bring the request before the Personnel and Finance Committees prior to presenting the request to the full Board and Mr. Dusek replied in the negative. He explained the request would have been presented before the full Board, as well.

Mr. Vanselow questioned how many computers had to be replaced and/or updated and Mr. Dusek said he was unsure. He stated he was aware of twenty-five computers the Department of Social Services (DSS) was replacing and another twenty-five at Westmount Health Facility but he felt there were more computers throughout the County requiring updates before the April 1, 2014 deadline. Mr. Vanselow asked whether twenty hours would suffice and Mr. Dusek replied affirmatively. He said the IT Staff had indicated they would be able to meet the deadline with the assistance of the temporary employee, as well as the IT Department intern.

Motion was made by Mr. McDevitt, seconded by Mr. Vanselow and carried unanimously to approve the request as presented and the necessary resolution was authorized for the December 20, 2013 Board meeting. *A copy of the resolution request form is on file with the minutes.*

There being no further IT Department business to discuss, privilege of the floor was extended to Amy Clute, Self-Insurance Administrator, who advised the only item for discussion referred to a presentation by Lee Pollock of Rose & Kiernan Insurance Brokers, relative to the 2014 renewal proposal for the County's property and casualty insurance coverage. Mr. Pollock distributed copies of the full insurance proposal, as well as a documents detailing possible coverage enhancements; *copies of all of the aforementioned documents are on file with the minutes.*

Mr. Pollock apprised there would be an analysis of claims performed within the next few months to determine where the claims originated from because insurance costs were based upon the claims and type of losses. He estimated the commercial insurance costs to have increased by \$12,000 and workers compensation increased by \$3,000. He stated New York Municipal Insurance Reciprocal (NYMIR) performed an appraisal of all County-owned buildings for the umbrella policy which reduced the total blanket but had no effect on the coverage.

With regards to general liability, Mr. Pollock advised there had been numerous claims since 2011; however, he said, there was no specific type of claims that were propelling the costs. He reiterated they would be performing a claims analysis within the next few months to project what was steering the claims. He stated equipment coverage had increased due to the

expansion of the fleet vehicles.

Mr. Pollock highlighted some possible additions to coverages, the first of which referred to the endorsement of the Employment Practices coverage which was part of the Public Officials Liability Policy. He explained the policy broadened the employment practices policy to cover the gap in coverage between workers compensation and employment practices. He pointed out the general liability coverage excluded employment practices claims and injuries to employees which was generally covered by the Public Officials Liability Policy or workers compensation except in cases where mental anguish was involved. He noted mental injuries were not recognized in New York State by workers compensation as causing mental anguish which created a gap in coverage that would be encompassed by the endorsement of the Employment Practices coverage.

The next potential addition to coverages, Mr. Pollock stated referred to a Privacy and Security Policy. He advised that privacy and security breaches generally equated to cyber attacks; however, he said, there were significant data breaches associated with paper records. He explained the policy covered liability for breaches in confidential medical, personal and Health Insurance Portability and Accountability (HIPPA) information. He said the policy also covered the cost to notify individuals and credit monitoring in cases where a data breach occurred. As an example of a claim that would be covered, he stated there was a case where data was compromised in a FOIL request and employee social security numbers were compromised. He pointed out many contracts with New York State were now requiring this type of coverage in order to do business with them.

Mr. Strainer questioned whether this type of coverage had been considered in prior years and Mr. Dusek replied affirmatively. He explained the County had considered purchasing the policy; however, he said, they determined the cost was too high to justify the purchase, as the quote was significantly more than the proposed price of \$14,669. He stated he felt the proposed cost was reasonable for the \$1,000,000 coverage the policy would provide.

Mr. Vanselow queried whether this type of coverage was likely to be mandated by the State in the future and Mr. Pollock replied affirmatively. He explained that it was required more often in cases dealing with Public Health because of HIPPA issues; however, he said, in most cases Counties could be granted waivers.

Mr. Taylor asked whether there were any changes to the deductibles on all of the policies and Mr. Pollock replied affirmatively. He stated the only change made was to Crime which was minor. He explained the deductible had been increased from \$1,000 to \$10,000; however, there was no gap in coverage.

Martin Auffredou, County Attorney, queried whether vendors were purchasing Privacy and Security insurance and questioned whether the County should require vendors to have this type of coverage and Mr. Pollock replied that most vendors were purchasing this type of coverage. He explained the cost would not be passed on to the County unless the vendor did not have the coverage in place. He added if the County required vendors to have this type of coverage and the County was sued for a breach the insurance company may be able to recoup its losses from the vendor's insurance provider.

Mr. Pollock pointed out the insurance company provided some recommendations in the packet that would assist the County with network security and privacy controls, the first of which was to secure areas where computer systems could be accessed by the public. The other suggestion the insurance company made, Mr. Pollock stated, was to implement screening measures including background checks, drug testing and credit checks on prospective employees and contractors.

Mr. Taylor asked whether the funds were available in the 2014 County Budget to purchase the proposed additional coverages and Frank Thomas, Budget Officer, replied affirmatively. Mr. McDevitt questioned if there was a driving force to cause the Law Enforcement Professional portion of the insurance costs to be such a significant portion of the cost breakdown and Mr. Pollock replied affirmatively. He explained the two factors propelling the cost were the increase in the Officer count, as well as the number of claims. Mr. McDevitt queried whether there were any specific claims that increased the cost and Mr. Pollock replied in the negative. Mr. McDevitt then asked whether other Counties cost breakdowns were similar to that of Warren County and Mr. Pollock replied affirmatively.

Mr. Strainer questioned whether the County was leaning towards requiring background checks on anyone who had access to secure information, such as the IT Department and Mr. Dusek replied affirmatively. He pointed out that criminal and background checks were performed on a number of positions in the County, such as the nursing staff. He said once a Human Resources Director was in place in 2014 he would like to research whether the County should expand upon who they should perform background checks on.

Mr. Mason advised he felt purchasing the additional policies would be beneficial to the County. Mr. Dusek apprised he recommended purchasing the additional policies and added a recent claim that was made would have been covered by the enhanced Employment Practices coverage had it been in place. He reiterated he felt the cost of the cyber insurance was reasonable for the coverage it provided.

Ms. Clute presented the following requests:

a) Request for authorization to accept the renewal proposal of the Warren County's Property & Casualty Insurance for 2014 and authorizing payment to Rose & Kiernan in an amount not to exceed \$712,209.

Motion was made by Mr. Vanselow, seconded by Mrs. Frasier and carried unanimously to approve the request as presented above and the necessary resolution was authorized for the December 20, 2013 Board meeting. *A copy of the resolution request form is on file with the minutes.*

b) Request for authorization to approve the request to renew the Employer's Liability Specific Excess Insurance coverage with Capitol Indemnity Corporation for 2014 and authorizing payment to Rose & Kiernan in an amount not to exceed \$20,337.

Motion was made by Mr. Mason, seconded by Mr. Strainer and carried unanimously to approve the request as presented above and the necessary resolution was authorized for the December 20, 2013 Board meeting. *A copy of the resolution request form is on file with the minutes.*

- c) Request for authorization to approve the request to renew the Excess Workers' Compensation Policy with Midwest Employers Casualty Company for 2014 and authorizing payment to Rose & Kiernan in an amount not to exceed \$142,621.

Motion was made by Mr. Strainer, seconded by Mr. Mason and carried unanimously to approve the requests as presented above and the necessary resolutions were authorized for the December 20, 2013 Board meeting. *Copies of the resolution request forms are on file with the minutes.*

There being no further Self-Insurance business to discuss, privilege of the floor was extended to Mr. Auffredou who presented a request to waive the rules of the Board that require prior authorization by the Personnel and Finance Committees in order to authorize a temporary intern for the County Attorney's Office for the month of January 2014 for ten to fifteen hours per week, to be paid at a rate of \$10.00 per hour. He reminded the Committee members that a paid intern had worked in his Office over the summer and had been a terrific worker, adding great dynamics to the County Attorney's Office. He said he would like the intern to work in the Office during the winter break from college for the month of January 2014 and noted the funds were available in the 2014 County Budget.

Motion was made by Mr. McDevitt, seconded by Mrs. Frasier and carried unanimously to approve the request as presented and the necessary resolution was authorized for the December 20, 2013 Board meeting. *A copy of the resolution request form is on file with the minutes.*

As there was no further business to come before the Support Services Committee, on motion made by Mr. McDevitt and seconded by Mr. Strainer, Mr. Taylor adjourned the meeting at 10:08 a.m.

Respectfully submitted,

Sarah McLenithan, Secretary to the Clerk of the Board